Motion 178.

MR. S. NARAYANA PILLAI: Sir, I move

"To reduce the allotment of Rs. 42,000 for travelling allowance by Re. 1".

My object in moving this motion is to speak of the urgent necessity of providing suitable accommodation for members of the Legislature for their stay during the sessions of the Legislature as well as of committees. This motion was brought before the House about three years ago by the honourable member, Mr. M. L. Janardhana Pillai.

PRESIDENT: I am afraid the Government have been rather slow in this matter and are guilty to the charge. The Government are actively considering the steps to be taken for providing accommodation to the honourable members.

MR. S. NARAYANA PILLAI: In view of the statement from the Chair, I do not further proceed with the motion.

The motion was, by leave, withdrawn.

The question that Government be granted a sum of Rs. 65,000 under Demand XIII—General Administration—Legislative Bodies—was put and carried.

The motion was passed and the grant was made.

DEMAND XIV—ADMINISTRATION OF JUSTICE.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, I rise to move for a grant not exceeding Rs. 12,45,577 under Demand XIV—Administration of Justice.

Motion 183.

MR. P. NARAYANA PILLAI: Sir, I move

"To reduce the allotment of Rs. 95,500 for High Court by Re. 1"

In the matter of appointment to the judiciary, preference should be given to the members of the Bar. In appointing Munsiffs, 75% of them should be from the members of the Bar. My submission is that this principle should be extended to the appointment of District Judges and Additional Judges. There are now a good number of advocates and lawyers practising throughout the State who are competent to hold such positions and I regard that the appointment of them as judges will only add to the efficiency of the Judicial Department. The original practice was to reserve 50 per cent of the vacancies of the judiciary to the members of the Bar. But nowadays, due recognition is not given to the practising lawyers. My request is that, at least 75 per cent of the judges should be appointed from among the members of the Bar. The last six appointments to the place of additional judges were made from the department by giving promotions from that establishment. I hope that this matter will engage the serious attention of the Government, especially in view of the fact that the Head of the Administration is an eminent member of the Bar and a lawyer of international reputation. With these words, I commend my motion for the acceptance of the House.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. G. VELU PILLAI: Sir, I support the motion. Judgeship in Travancore was once regarded as a career, the judge whether of the High Court or District Court rising from almost the lowest rung in the ladder step by step by seniority. It cannot be denied that the judges who were so raised were persons in whom the spirit of conventionality and technicality had almost become fixed. To prevent the superior courts from acquiring a tendency to become conventional and technical, persons of recognised standing at the Bar who had continued contact with the concrete realities of life, were also appointed. The members of the Bar who were thus appointed as judges, whether in the High Court or in the District Courts, have given complete satisfaction to the Government, the Bar and the public, and have maintained a high degree of independence and integrity, inseparable from proper judicial administration.

With regard to the appointment of second judges, the Legal Remembrancer, in a reply to a question by me the other day, said that 50 per cent was recruited from the members of the Bar. Sir though this principle is recognised, out of 8 second judges at present, 7 are promoted from the department and only one is directly recruited from the Bar. Out of 7 district judges at present, none is recruited from the Bar. The last recruitment of District Judge from the Bar was in 1113 and since that time, no member of the Bar has been recruited as District Judge. Sir, the strength of the Bar is increasing year by year and a judgeship is a lawyer's legitimate ambition. So, it is but natural and reasonable that the proportion of judges recruited from the Bar should be increased. The condition of the Travancore Bar fortunately at present is such that without much difficulty, practising lawyers can be found who are qualified by legal scholarship, general culture, practical experience and personal character for the high and important office of judgeship, whether of the High Court or District Courts.

In this connection, I will refer to a remark expressed by Mr. E. Subramonia Aiyar, the accredited leader of the Travancore Bar and the President of the Travancore Advocates' Association, when discussing a motion in the Travancore Advocates' Association about recruitment ofmembers of the Bar to the judiciary. He said "I feel confident to state that there are to-day in this Bar members— I mean in particular younger members—who, by reason of their intellectual attainments, experience, character and ability, can fill any place in the judiciary, with credit to themselves and the place they may occupy." This remark is worthy of mention as it comes from such a distinguished member of the legal profession as Mr. E. Subrambnia Aiyar. I may also say that the resolution demanding higher representation for the legal profession in the judiciary, was unanimously adopted by the Advocates' Association.

The time has now come, Sir, when in fairness to the Bar as much as in the interests of a strong and independent judiciary, the percentage of recruitment of members of the Bar to the judiciary must be increased. Fortunately, Sir, this is the best time for the members of the Bar

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. G. Velu Pillai]

to represent their grievances. The Head of the Administration himself—one of the most distinguished members of the legal profession in India, is a senior advocate of the Travancore Bar. The Chief Secretary also was a distinguished member of the Bar. The present Chief Justice also was occupying a very high place in the Madras Bar. With these observations, I support the motion.

SADASYATILAKA T. K. VELU PILLAI: Sir, I support the resolution for reasons other than what has been given by the last speaker. So far as the merits of this question are concerned, it does not make any difference, whether the present Head of the Administration is a distinguished lawyer, not to speak of others whose names were not mentioned. The lawyers are rather generally conservative in regard to these matters. You, Sir, have however, on many occasions, given expression to a kind of right feeling in appreciating the necessity of elevating the members of the Bar to high judicial appointments. Let me say this, Sir, once more, that is, quite irrespective of the general question whether all lawyers would be in favour of this, the subject, as I said is a very important one, because it affects the actual administration of justice and the efficiency of judges. In Travancore, where everybody knows everybody else, I have seen the unseemly spectacle repeated many times of applicants for posts, bombarding people with patronage I do not condemn that. As has been said, judgeship is an object of awyer's ambition in certain countries. But I also know, Sir, that when judgeship is offered to 'distinguished people of the Bar, some people prefer to talk before the judges rather than accept judgeship.

PRESIDENT: I wish the honourable member might quote the instance quite accurately.

SADASYATILAKA T. K. VELU PILLAI: Rather talking nonsense at the Bar than listening to nonsense at the Bar. This is an expression which is difficult to forget. But at the samo time, I did not want to put it so bluntly though I remembered it. At the time when a vacancy arises, younger people go about and there is a slang expression in the association which I did not want to say, but which, I will change my mind, and say. I have no sympathy for that kind of ridicule that when a man wants to get it, why not he go and ask people. There is no way of putting this better except to say that cars fetch a higher fare about that time. Now, Sir, it is quite legitimate for young people as mentioned by Mr. G. Velu Pillai to go and—

PRESIDENT: I do not think anybody need be worried about it. Taxi cabs fetch more when an Executive Council membership falls vacant.

SADASYATILAKA T. K. VELU PILLAI: Sir, human nature being what it is, there is no need for any special mention. But I have a constructive proposal to make in this connection.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, on a point of order, Apart from the merits of the question that is now being discussed, my submission is that Rs. 95,000 is the total grant minus the salary of High Court Judges which is non-votable. Under the rules here, only so much of that policy as relates to the supply head can be discussed under this head. The power of appointing District Judges rests with the Government and not with the High Court. So, I am of the impression that only on General Administration for the Secretariat, on the total amount alone, this cut motion is permissible.

PRESIDENT: Mr. Velu Pillai will answer that point so that after that I may give my ruling.

SADASYATILAKA T. K. VELU PILLAI: One point strikes me now and I do not know whether it is correct. This objection must have come before the motion was made, seconded and supported. Now, it requires an answer in a different manner.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: A point of order can be raised at any moment.

SADASYATILAKA T. K. VELU PILLAI: If my friend's idea was that I do not know the law, it is doing a great injustice to me. I know that a point of order can be raised at any time. I do not want to take up more time of the House.

PRESIDENT: But I must give a ruling.

SADASYATILAKA T. K. VELU PILLAI: I may just say that the grant may be for a particular purpose. But my friend admitted that on motions regarding the Secretariat, questions of general policy may be discussed although everything proceeds from the Dewan and not from the Secretariat. So the question of the appointment of District Judges can come under this Demand. I do not want to say anything more on the point of order. I have been developing my arguments on another question.

MR. K. G. KUNJUKRISHNA PILLAI: I quite agree with one portion of the argument put forward by the honourable member, Mr. Velayudhan Pillai, and that is that the cut motion should relate only to such items as can be voted upon. But the general question as to whether the policy regarding the appointment of Judges will come under this cut motion or not, I should think it should come here and not under the head "General Administration". If the argument put forward by Mr. Velayudhan Pillai is accepted, I think that every question of policy should come within the General Administration grant. When there is a particular grant to be voted and a particular demand to be discussed, my submission is that the cut motion relating to that grant should come under that particular demand and not under any other demand even though, technically speaking, Mr. T. P. Velayudhan Pillai is correct when he says that because the appointments of District and Additional District Judges are made by Government, this motion should come under the head "General Administration".

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. M. R. NARAYANA PILLAI: The point that I want to make out is that the motion has already been made by one honourable member and another honourable member also had his say. Now a third speaker is on his legs when the point of order is raised. My doubt is whether the point of order can be raised at this time.

PRESIDENT: The question is not an easy one. It is no doubt correct as Mr. Puliyoor Velayudhan Pillai has legitimately pointed out that construing technically only those matters which come within the votable portion of this grant can be the subject of discussion. If this question is to be decided in that way, every question of policy that is regulated or under the supervision of many of the officers can be held as non-votable.

With regard to the allocation of time for these Grants, it has been engaging the attention of Government for some time. Now a full day is allotted for Land Revenue and another full day for Public Works. I think the time has now come, in view to the place which Land Revenue now occupies in relation to what it once occupied in the scheme of things in Travancore, to make a change. General Administration Grant should be given a full day and I think modifications in that direction will be made next year. If that were so, there would be sufficient time to take a birds'-eye-view of the matter. Then, such questions of importance as this can be legitimately raised and dealt with. In that case matters of policy as a whole, whether a particular appointment relates to Department A or Department B can be fully dealt with. But having regard to the short time allowed for the General Administration grant, although I am not quite right, I trust the House will bear with me if I allow an infraction of the rule and allow Mr. Velu Pillai to finish his observations

SADASYATILAKA T. K. VELU PILLAI: Good lawyers should be appointed as Judges whenever opportunities arise. The only qualification that I would put for lawyers to be appointed as District Judges – the question of appointment of High Court Judges does not arise now—or Munsiffs is that they should have handled cases. I know instances in which orders have been passed by judicial officers which appear to be very strange to me. In spite of the fact that there are definite and absolute orders, there is one judicial officer who has ordered that "The matter *may be* passed". That is because they have not the required experience. Such orders would not have been passed if lawyers with good experience were chosen to fill those places. I am entirely at one with the spirit of this important motion.

The secnod point that I wish to submit to the House is this. With regard to the appointment of Judges, there are certain anomalies, and the sooner they are removed the better. As things stand at present, there are Munsiffs who get Rs. 350 as salary, while additional Judges begin with a salary of Rs. 300; so that the humble officer, of course, from the point of view of pay, who gets Rs. 300, sits in judgement over the findings of the officer who gets Rs. 350.

LIBRARY ARCHIVES Kerala Legislative Assembly

PRESIDENT : The Chief Secretary will explain whether the anomaly has since been removed.

RAJYASEVAPRAVINA G. PARAMESWARAN PILLAI : The anomaly has since been removed. Under the standardisation scheme, it so happened that in the case of fresh recruitments the initial salary of the Second Judges was fixed at Rs. 300. But later on it has been found that this anomaly had to be removed and it has since been removed.

SADASYATILAKA T. K. VELU PILLAI : I am very glad to know that.

The next point that I wish to refer is with regard to promotion. If a Munsiff or Additional Judge works for many years hoping for a promotion, what we generally find is that there is a combination of unpleasant circumstances. As far as possible hopes held out must be fulfilled. By that I do not want to say that the percentage of recruits of lawyers should be smaller than it could otherwise be. There must be proper understanding. Everybody in the country should know what the rule is, how many lawyers are to be appointed and how many to be recruited from the Bar. So long as there is no definite rule, the question of appointments will lead to difficulties. Of course I recognise the principle that experienced Munsiffs of efficiency and legal knowledge should be promoted. In certain cases where a lawyer has a very lucrative practice and if he has worked up his way in public life and showed capacity to tackle legal questions, then Government may consider his case specially. I find occasionally Government themselves put to serious difficulties in deciding the claims of particular individuals, one from among the Munsiffs; one from among the Bar, one from the public and so forth. Let me, in all earnestness, request the Government to devise some means, pass some rule, at any rate, come to some understanding with regard to the proportion of the recruitment. I have nothing more to say about the motion. But the question being a difficult one, may I be permitted to say that a statutory rule is necessary? We have not got statutory rules even with regard to the appointment of High Court Judges. If there is a definite rule on the subject, then there will be less of heart-burning. I am entirely in sympathy with the spirit of the motion. At the same time it will be wrong to create permanent disappointment in the minds of the Munsiffs. So let us have a definite understanding that a certain percentage of promotions will be given to Munsiffs and a certain percentage of appointments to the lawyers.

MR. DOMINIC JOSEPH (*Vaikom cum Kottayam*) : In supporting the motion I wish to place before the House one or two simple facts. Out of the eight Second Judges, six are promoted from service. After 1113, no one has been directly recruited as a District Judge from the Bar. Three out of the seven District Judges have been promoted from among the ranks of the Second Judges. Sir, it is well-known that lawyers play an indispensable part in the administration of justice. It is equally admitted that the recruitment of lawyers into the Judiciary goes a good way in promoting the efficiency of the Judiciary. It has been proved on more occasions than one that an actually practising lawyer, who has argued

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. Dominic Joseph.]

cases, who has established a reputation for knowledge of law and who is conversant with the affairs of the country, is more competent to be a Judge than one whose domain is confined to the four walls of the office, and who has been given promotion as a Judge by mere weight of service. I may be permitted to quote one or two passages from the Report of the Laws' Delays Commissioner published in 1931, in support of my position. The Report says :—

> "It will not be seriously disputed at the present day that direct recruitment from the Bar is absolutely essential to maintain and promote the efficiency of the Judiciary."

This dictum, laid down so long ago as 1931, I beg to submit, has not been strictly followed. There is another quoation in the Report from the observation of Sir E. Hume Williams, K. C., which reads as follows :—

> "In England the Judge is chosen from among the practising Barristers. He is usually the King's Counsel. This means that the new Judge himself has gone through the rough-and-tumble of a practice at the Bar. Not infrequently he has also been a member of the House of Commons, a position which brings an insight into the affairs of the country, not infrequently, he is also a man of the world and generally acquainted with social customs and social problems."

There fore, it must be the constant endeavour of the Government to see that adequate representation is given in the judiciary for members of the Bar.

PRESIDENT : The honourable member will realise that the position in England is very peculiar. If a person accepts an appointment as a Country Court Judge corresponding to a District Munsiff here, except perhaps in most exceptional cases, he never gets a promotion. If a person is appointed as a Puisne Judge in the High Court except in most exceptional cases he is never thought of for a Chief Judge's place. If a person is appointed as a Chief Judge in the High Court he is not even thought of for a place in the Privy Council or in the Judicial Committee of the House of Lords. In other words the idea is that a person who accepts a Munsiff's place, is nothing more than a Munsiff. When he accepts a Second Judge's place he cannot expect to be considered for the place whena man is wanted for District Judgeship. It is the same when a man accepts the place of a High Court Judge. Appointments are made on the principle I have indicated. The executive does not interfere in the judicial appointments excepting perhaps only with regard to initial appointments. It also means that every application disentitles the applicant. The Lord Chancellor told me personally that it is so put down in one of their Standing Orders. For instance, a very young man, for reasons of health, expressed a desire for a change. Though he was efficient and skilful he was not summoned to the Privy Council as he had expressed that desire. But it is entirely for the House to consider how far those principles are applicable here.

MR. K. DOMINIC JOSEPH : I entirely agree. But since the Munsiffs are mainly recruited from the Bar the legimate interests of these persons should not be sacrificed by other appointments. There should be

LIBRARY ARCHIVES Kerala Legislative Assembly

a fair proportion. But even that proportion, I submit, has not been conformed to in actual practice. With these words, I support the motion.

MR. K. S. SEBASTIAN (*Changanacherry cum Peermade*): In supporting the motion I wish to point out that in the matter of appointments to the judiciary a fair representation should be given to the Bar than is obtained at present. It may be conceded on all sides that we can often get better hands for the recruitment to the judiciary from among the members of the Bar than from the service. By saying so, I do not mean that the claims of those efficient men in the service have to be overlooked. My plea is that since the Bar is as much a machinery in the administration of justice as the Bench itself, due recognition should be given to the members of the Bar in regard to appointments in the judiciary. Service and standing at the Bar ought to be viewed as good as service in the Bench. Otherwise those able men who prefer to wait and wait most successfully for higher and better careers will have to lie behind, as men in service will over-step them. Even a mediocre person may get on well in service and for him progress is only a mechanical process, whereas for a member of the legal profession the struggle is so keen that he cannot dream of success unless he is possessed of intrinsic merit. Being in a very competitive profession only men of extraordinary abilities can expect to come up at the Bar. It is often a fact that many of the first-rate lawyers will not care to accept any place in the judiciary. One of the greatest lawyers of India when he was asked why he did not apply for the coveted place of a judge in the Madras High Court remarked that he would prefer to be talking nonsense at random rather than be listening to nonsense all the day.

PRESIDENT: I am afraid this quotation is wrong. The gentleman preferred talking nonsense throughout the day to hearing nonsense all the day.

MR. K. S. SEBASTIAN: There is evidently no mistake in saying that men at the topmost ladder do not care for appointments to the judiciary, even for the highest places, but one step down the ladder, we get a set of very able and learned men who are prepared to accept these jobs. These men are prepared to join service partly for the status of the job and partly for the fixity of the income. With such men of learning and character in service the administration of justice can be done more efficiently, and I can most confidently assert that in point of intelligence and learning, our Bar is in no way inferior to any other Bar in British India or elsewhere. When it is admitted that we have very many brilliant men amongst us, it is really a pity that their merits are not duly recognised by Government. By our discouraging such efficient men we are not only disappointing them but we are also missing the services of such eminent men. Let us have judges who understand the law, let us have judges who know the law and who will lay down the law correctly and precisely for the present as well as for the future. With these few words I support the motion.

LIBRARY ARCHIVES Kerala Legislative Assembly

SAHIB BAHADUR M. K. MACKAR PILLAI (*Kunnatnad cum Parur*) : സർ, ഞാൻ ഈ ഉപക്ഷേപത്തെ സപ്പീകരിക്കുന്നപക്ഷം, അതു മുൻസിഫന്മാക്കു വളരെ ദോഷം ചെയ്യും. മുൻസിഫന്മാർ കായ്ക്ഷമതയോടും ഉത്സാഹത്തോടും ജോലി ചെയ്യണമെങ്കിൽ അവർക്കു പ്രമോഷൻ കിട്ടുമെന്നുള്ള വിചാരം വേണം. ബാറിൽനിന്ന് എടുത്താലും ശരി, സർവീസിൽ നിന്ന് എടുത്താലും ശരി മുൻസിഫന്മാരിൽ യോഗ്യതയുള്ളവരേയും ഇല്ലാത്തവരേയും ഞാൻ കാണുന്നുണ്ട്. പക്ഷേ കേസ്സുകളുടെ ഡിലേസ്സിന് മിക്കവാറും കാരണം എന്റെ അനുഭവത്തിൽ വക്കീലന്മാരാണ്.

MR. K. P. KOCHUKORA THARAKAN : സർ, ഈ ഉപക്ഷേപത്തെ അനുകൂലിക്കാൻ നിവൃത്തിയില്ല. ൫൫ ശതമാനം ജഡ്ജിമാരെ ബാറിൽ നിന്നും നിയമിക്കണമെന്നാണ് ഈ ഉപക്ഷേപംകൊണ്ടു് ഉദ്ദേശിക്കുന്നതു്. ബാറിൽ നിന്നുമാണ് മുൻസിഫന്മാരെയും നിയമിക്കുന്നതു്. ഇപ്രകാരമായാൽ അതു് അവരുടെ പ്രമോഷന് തടസ്ഥമാകും. ഇതു് നടപ്പിലായാൽ, ൫൫ ശതമാനം, ഹൈക്കോടതി ജഡ്ജിമാരേയും ബാറിൽ നിന്നും നിയമിക്കുമെന്നുള്ള വാദം വരുകില്ലയോ എന്നും ആ വാദം ഡിസ്ട്രിക്ട് ജഡ്ജിമാർക്കും സെഷൻഡ് ജഡ്ജിമാർക്കും അതു രുചിയുള്ളതാ എന്നും ഞാൻ സംശയിക്കുന്നു. മി. മക്കാർപിള്ള പറഞ്ഞതുപോലെ മുൻസിഫന്മാരെ പ്രോത്സാഹിപ്പിക്കേണ്ടതു് അത്യാവശ്യമാണ്. ൫൦ ശതമാനം ഇവരിൽ നിന്നും ൫൦ ശതമാനം ബാറിൽ നിന്നും എന്നുള്ള ഇപ്പോഴത്തെ വ്യവസ്ഥ തുടർന്നുപോയാൽ കൊള്ളാമെന്നാണ് എന്റെ അഭിപ്രായം. ഹൈക്കോർട്ടിൽ ഈ നിയമം സപ്പീകരിച്ചിരിക്കുന്നു എന്നും അതിനെ തുടർന്നുപോകുന്നു എന്നുമാണു എന്റെ അറിവും വിശ്വാസവും. അതു് ശരിയാണെങ്കിൽ ആ നയം തന്നെ തുടർന്നുകൊണ്ടു പോകണം. ഇതു സംബന്ധിച്ചു് ഒരു ക്ലിപ്തമായ നയം സപ്പീകരിക്കണം. ഒരാളെ ബാറിൽ നിന്നും എടുത്താൽ ഒരാളെ ഡിപ്പാർട്ടുമെന്റിൽ നിന്നും എടുക്കണം. തിരുവനന്തപുരത്തുള്ള വക്കീലന്മാർ മാത്രമേ ജഡ്ജി ഉദ്യോഗത്തിനു് യോഗ്യതയുള്ളവരായിട്ടുള്ളു എന്നു് ഗവണ്മെന്റു വിചാരിക്കരുതു്. എല്ലാ ഡിസ്ട്രിക്ട് കോർട്ടിലുള്ളവരേയും ജഡ്ജിയുദ്യോഗത്തിലേക്കു നിയമിക്കണം. കൊല്ലത്തുനിന്നും ഒരാളെ ഇടയിടെ നിയമിച്ചിട്ടുള്ളതിൽ ഞാൻ ഗവണ്മെന്റിനെ അഭിനന്ദിക്കുന്നു. തിരുവനന്തപുരത്തു് പ്രാക്റ്റീസ് ചെയ്താൽ ഉദ്യോഗം കൈവശപ്പെടുത്താം എന്നുള്ള ഒരു ധാരണയാണു തിരുവനന്തപുരത്തു് ധാരാളം വക്കീലന്മാർ വന്നു പ്രാക്റ്റീസ് ചെയ്യുന്നതിനുള്ള കാരണം. ൫൦ ശതമാനം ബാറിൽ നിന്നും ൫൦ ശതമാനം ഡിപ്പാർട്ടുമെന്റിൽ നിന്നും എടുക്കുന്ന സന്ദർഭത്തിൽ

LIBRARY ARCHIVES Kerala Legislative Assembly

പ്രാദേശിക പ്രാതിനിധ്യവും സമുദായപ്രാതിനിധ്യവും ഗവൺമെൻറ അംഗീകരിക്കണമെന്നൊരപേക്ഷയുണ്ട്. ഇതുയും പറഞ്ഞുകൊണ്ട് ഞാൻ അവസാനിപ്പിക്കുന്നു.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, there seems to be considerable misapprehension on the subject. Therefore, I may be permitted to explain the position as it is at present. The Law's Delays Commissioner made an exhaustive enquiry on this subject of recruitment to the grade of Munsiffs, Judges and even High Court Judges. Then, on the report of the Laws Delays Commissioner, the opinion of the High Court was invited and Government, after considering all these matters, issued a G. O. on the 8th July, 1937, which laid down categorically the terms of recruitment to the Bench both in the case of Munsiffs and in the case of Judges. In that G. O. it was stated specifically that thereafter 75 per cent of the recruitment as Munsiffs will be made from members of the Bar and in the case of Judges 50 per cent will be recruited from the Bar and 50 per cent on promotion from the cadre of Munsiffs.

With regard to the District Judges, it was stated, that it was not thought advisable to lay down any principle, with regard to direct recruitment as Government would do so only in very very exceptional cases. After laying down that principle and that policy, which was strictly followed and followed to such an extent that if there is any grievance, I submit that it is for the members in the services and not for the members of the Bar. Let me illustrate that point. Honourable members were saying that out of six Additional Judges only one was directly recruited from the Bar. That is not the way to look at it. There are 16 District and Additional Judges, out of whom 11 are directly recruited from the Bar and only five from the Department.

MR. G. VELU PILLAI: May I know whether the District and Additional Judges are to be taken together according to the G. O.?

MR. K. G. KUNJUKRISHNA PILLAI: I have already stated that in the case of the District Judges there will be no direct recruitment from the Bar excepting in very exceptional cases. So, every District Judge is recruited from among the Additional Judges. The difference between the District Judge and the Additional Judge in point of work is very slight indeed. Both go through the same set of papers, hear the same appeals, etc. Out of 16 District and Additional Judges, eleven have been directly recruited from the Bar after the G. O. of 1937 was issued. I am well aware that there is some discontent among the members of the Bar and particularly among the advocate members of the Assembly. If an honourable member of this House is going to be recruited to the Bench today, his seniority to those recruited from the Munsiff's grade will be recognised. I want to make this absolutely clear. The High Court are following the G. O. strictly, for the last 3 or 4 years.

With regard to the representation from the Advocates' Association, that is receiving the careful and earnest consideration of Government. The High Court have been invited to express an opinion on the matter and as soon as their opinion is received, Government will consider the matter in all its aspects. With this explanation, I hope

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. G. Kunjukrishna Pillai.]

honourable members will be satisfied that no injustice of any sort is being done to any member of the Bar so far as recruitment to the Munsiffs' and Second Judges' Grade are concerned.

MR. G. VELU PILLAI: May I know whether Government will be able to say that the next three vacancies will be filled from the members of the Bar?

MR. K. G. KUNJUKRISHNA PILLAI: That is a question of future recruitment. Every consideration will be shown to what has been stated here.

MR. K. KUNJU PANICKER: May I know when was the last appointment to the grade of a District Judge made from the Bar?

MR. K. G. KUNJUKRISHNA PILLAI; It was somewhere in 1937 or 1938?

The motion was by leave, withdrawn.

Motion No. 185.

MR. G. VELU PILLAI: Sir, I move,

"To reduce the allotment of Rs. 95,500 for High Court by Re. 1, to speak about the necessity of providing Chambers for Advocates within the premises of the High Court Buildings.

Sir, with the shifting of the High Court to the Sri Mulam Buildings, though the Courts are housed in a more spacious building, the Advocates are put to much inconvenience for want of facilities for locating their offices, or for their stay near the High Court Buildings. Sir, it is not in keeping with the dignity of the High Court, that the offices of even the leaders of the bar are located in dirty and inconvenient buildings unfit for human habitation. If you will kindly find time, Sir, to go one evening—

PRESIDENT: Not only have I found time to go one evening I have gone there more than one evening.

MR. G. VELU PILLAI: Then, I am sure you will agree that my observations are correct. The only method of improving the situation is to provide Chambers for the Advocates within the premises of the High Court Buildings. This will not only give more convenience to the Advocates but it will raise the dignity of our High Court, and in this respect also bring it on a par with the Madras and other High Courts. In this connection I would like to read a passage from the message sent by His Highness the Maharaja at the opening of the Sri Mulam Buildings on 31st May 1943.

His Highnes said—

"I contemplate today's ceremony with especial interest and satisfaction. The independence and integrity of the judiciary in Travancore have been continuously maintained at a high level during the last half a century and more and men of eminence in the practice and the profession of the Law have adorned our Bench and Bar. As a symbol of such independence and the dignity attached to the Highest Court in the State, its appearance and arrangements are of no small importance.

The imposing edifice at Vanchiyoor which will henceforth be known as the "Sri Mulam Buildings" will, I have no doubt, adequately meet the requirements of dignity and detachment, convenience and centralisation for the Bench and the Bar and the litigant public".

LIBRARY ARCHIVES Kerala Legislative Assembly

Sir, it will only be in keeping with His Highness' wish if more convenience is afforded to the Members of the Bar. With these few words I commend the motion for the acceptance of the House.

MR. K. G. KUNJUKRISHNA PILLAI : Sir, nobody is more anxious than the Government to see that proper accommodation is given to the Members of the Bar in and about the High Court premises. There is a scheme which is being considered by Government for the acquisition of lands and for the putting up of buildings, one at Government cost and others on a co-operative basis, particularly where the members of the Bar will be members of a co-operative society and put up their own buildings. The Scheme is being considered and land is being acquired. At present it seems to me that it is too early to consider the question because Government are actively engaged in rectifying the defects pointed out.

MR. G. VELU PILLAI : May I know whether the Advocates' Association will be consulted in preparing the Scheme?

MR. K. G. KUNJUKRISHNA PILLAI : In fact, a representation from the Advocates is pending before Government and is being considered.

MR. KOTTALIL P. ABRAHAM : May I know whether the convenience of Advocates in District Court Centres will also be considered?

MR. K. G KUNJUKRISHNA PILLAI : If my friend means that this scheme will include the Parur and Quilon District Courts, I may say that they do not come within its purview. But I am sure that, if the matter will be placed before Government, they will consider it sympathetically.

MR. K. DOMINIC JOSEPH: Sir, I wish to say a few words to stress the desirability of providing facilities in District Courts.

PRESIDENT : It does not arise out of this motion.

MR. K. DOMINIC JOSEPH : The motion is confined to Advocates. I may be permitted to say a few words about District Courts.

PRESIDENT : It is not possible to ride a coach-and-four through any motion. If the honourable member says that the position of the High Court Advocates is the same as those of the Advocates, say in Parur, then it is possible to bring in the District Courts. But if the honourable member says directly that facilities should be provided in the District Courts then I will have to rule him out of Order.

MR. K. DOMINIC JOSEPH : Sir, lawyers are the same everywhere. They should be provided all reasonable facilities.

PRESIDENT : Order, order. Let me be perfectly clear about this. The Advocates' Association met the Head of the Government and made certain suggestions. Not only were the suggestions considered in relation to the Chambers to be given to the lawyers, but also in relation to the dwelling houses for the lawyers. And Government made it perfectly clear that if, instead of acting as a Bar Association, they constituted themselves into a Co-operative Organisation framed on a business-like footing and were able to raise some funds for that purpose, Government would only be too anxious from the point of view of

LIBRARY ARCHIVES Kerala Legislative Assembly

[President]

town planning and the future of the City and many other considerations, to give them substantial help. This took place four or five months ago and I am still waiting for some kind of response. I leave it at that. In other words, I may even say that if you are able to raise amongst yourselves thirty or forty thousand rupees the balance of a lakh that may be necessary will be advanced by Government at a very reasonable interest. But I see absolutely no response.

MR. DOMINIC JOSEPH: I only pray that equal consideration may be shown to lawyers in the mofussil centres.

The motion, by leave, was withdrawn.

Motion No. 186

MR. M. R. NARAYANA PILLI: Sir, I move,

"To reduce the allotment of Rs. 95,500 for High Court by Re. 1."

This is intended to stress the necessity for providing better accommodation for the members of the High Court Bar *in* the Sri Mulam Buildings.

PRESIDENT: Is it not the same as the previous motion?

MR. M. R. NARAYANA PILLAI: Not the same, Sir. The previous motion refers to the *premises*; my motion refers to the *buildings*. I must, however, admit that we are thankful to the Government for already giving us two rooms, one in the upstairs, and one in the downstairs.

PRESIDENT: That is only a temporary expedient. Other steps are being contemplated.

MR. M. R. NARAYANA PILLAI: The one on the groundfloor is being utilised not only as a tiffin room but as something else also.

PRESIDENT: What is it?

MR. M. R. NARAYANA PILLAI: It is also used as a water-closet. The upstairs room is more or less of the same dimensions as the room downstairs. That is the room meant for 130 full grown Advocates. The room was originally meant for 54 boys, less than half the size of an ordinary advocate and not even one-fourth the size of some of us.

PRESIDENT: Boys are apt to be mischievous, so much so they require more room. But members of the Bar are not so.

MR. M. R. NARAYANA PILLAI: I am not making any complaint, Sir. I want only to point out the mere fact that when as between four Government Pleaders including the Advocate-General, there are three retiring rooms, one hundred and thirty of us are confined to one small room, with an oval table in the centre, a number of chairs, the Secretary's table at one end, the Advocates' gowns hanging, and with their gownbags and several large book cases. We do not ask for much. We ask only for one more room.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. K. G. KUNJUKRISHNA PILLAI: Sir, as was stated from the Chair the matter will be considered as soon as more room is available, and it is likely to be available in the near future. But the grievances are not as grievous as was pointed out by the honourable member. In fact, the advocates were having only two rooms when the High Court was here.

MR. G. VELU PILLAI: May I know whether the Honourable Legal Remembrancer has gone to the Advocates' Association in the new buildings?

MR. K. G. KUNJUKRISHNA PILLAI: I may assure the honourable member that I have gone into the room when the room was occupied by advocates and when it was not. And so it is out of personal observation that I am stating that the room does not provide less convenience than was provided by the rooms when the High Court was here. That is a fact which cannot be contradicted.

MR. M. R. NARAYANA PILLAI: I contradict it, Sir.

MR. K. G. KUNJUKRISHNA PILLAI: I congratulate the honourable member for contradicting for its own sake. If all the Advocates assemble together at one time for purposes of debate, etc., I admit there is no sufficient space. But that is not expected. A large number of Advocates will usually be in the Court rooms and only such people as have no work at particular periods of the day will be remaining in the room.

MR. M. R. NARAYANA PILLAI: But that room has been used by everybody during the recess between 2.30 and 3. 30 p. m.

PRESIDENT: As a matter of fact, I have already stated that steps will be taken very shortly to remedy the grievances. I suppose we may leave that matter there.

The motion by leave was withdrawn.

Motion No. 187

SRY. T. NARAYANI AMMA (*Nominated*): I move to reduce the allotment of Rs. 95,500 for High Court by Rs. 5.

My object in doing so is to urge the need for the appointment of a large number of ladies as Judges and honorary Magistrates of Village Panchayats and Bench Magistrates' Courts.

There is at present one solitary Lady Magistrate in one Court, namely, in Trivandrum, while in the other 20 or 21 Courts in the State no lady has as yet found a place. Women in Travancore are rapidly coming to the fore in point of education and in their readiness in taking their place in public life and I for one do not see any reason why more women cannot be appointed to these honorary posts. There are educated women in other parts of the State, who I am sure will take up these posts if offered to them and are sure to carry on the work with ability and efficiency. In British India, where women's education has not advanced to the extent that it has in Travancore, there are more lady Honorary Magistrates. The difficulty in the matter of finding women qualified therefore is much less in Travancore, where, in fact,

LIBRARY ARCHIVES Kerala Legislative Assembly

[Sry. T. Narayani Amma]

there is absolutely no difficulty. It is for urging the desirability of encouraging educated women to take up these honourable posts that I move this motion.

MR. M. L. JANARDHANAN PILLAI (*Nominated*) : I support this motion. Some time ago, the Government appointed a lady who was an M. A. in the Alleppey Bench Magistrate's Court. When that lady's period was over, no further appointment of women has been made. In municipal towns, very many accuseds happen to be women and it is only in the fitness of things that Government should consider the desirability of appointing women Honorary Magistrates. It will not only be an advantage to Government, but will also mete out better justice to women.

SAHIB BAHADUR M. K. MACKAR PILLAI: സർ, എനിക്കും സ്ത്രീകളോട് വളരെ ബഹുമാനമുണ്ട്. പക്ഷെ ഈ ഉപക്ഷേപത്തെ എതിർക്കാതെ യിരിക്കാൻ എനിക്കു നിവൃത്തിയില്ലാ. കാരണം ലാജ് നമ്പർ ലേഡി കളും പഞ്ചായത്തു ജഡ്ജിമാരായും, ബഞ്ചുമജിസ്ട്രേട്ടന്മാരായും പോയി കഴിഞ്ഞാൽ ഞങ്ങളുടെ വീട്ടുകാര്യങ്ങൾ നോക്കാനും ആളുവേണ്ടേ? അതു കൊണ്ട് അവിടവിടെയായിട്ട് ഒന്നോ രണ്ടോ ഒക്കെ സ്ത്രീകളെ നിയമിക്കുന്നതിൽ വിരോധമില്ലാ. അല്ലാതെ ലാർജ് നമ്പർ പെണ്ണുങ്ങളേയും ഇങ്ങനെ ഉദ്യോഗങ്ങളിൽ നിയമിച്ചുകഴിഞ്ഞാൽ വിഷമിച്ചുപോകും.

SRIMATHI. T. NARAYANI AMMA : ഇപ്പോൾ ഉള്ളതിൽ കൂടുതൽ എന്നു മാത്രമേ ഞാൻ ഉദ്ദേശിച്ചിട്ടുള്ളുവെന്ന് മെംബർക്കു അറിയാമോ ?

SAHIB BAHADUR M. K. MACKAR PILLAI : അതിന് എനിക്ക് വിരോധമില്ലാ.

MR. N. NARAYANA KURUP: സർ, ഞാൻ ഈ ഉപക്ഷേപത്തെ അനുകൂലിക്കുന്നു. ശമ്പളമില്ലാത്ത എന്നു തന്നെയല്ലാ കയ്യിൽനിന്നും പണം ചിലപ്പോഴും ചിലവാക്കി ഉദ്യോഗം നോക്കേണ്ട വില്ലേജ് പഞ്ചായത്തുകോടതികളിലെ ജഡ്ജിമാരായും, ബഞ്ചുമജിസ്ട്രേട്ടറന്മാരായും സ്ത്രീകൾക്കു കൂടുതൽ ഉദ്യോഗം ലഭിക്കണമെന്നാണ് എന്റെ മാന്യ സഹോദരി ഏറ്റവും വിനീതമായി ആവശ്യപ്പെട്ടിരിക്കുന്നതു്. ഒരുപക്ഷെ ശമ്പളമുള്ള ജോലിക്കും കൂടുതൽ കിട്ടണമെന്നു പറഞ്ഞാൽ പുരുഷന്മാർ വഴക്കിപിടിച്ചേക്കുമെന്നു കരുതിയൊ അതോ, ഇപ്രകാരമുള്ള ജോലിക്കും ശരിയായി നിർവഹിച്ച് സ്ത്രീകൾ ഉദ്യോഗനിർവഹണത്തിൽ കൂടുതൽ പ്രാപ്തരെന്നു വരുത്തി മറ്റു ജോലിക്കും കരസ്ഥമാക്കാമെന്നുകൂടി കരുതിയൊ അല്ലേ ഈ വിധത്തിൽ ആവശ്യപ്പെട്ടതെന്നു ഞാൻ സംശയിക്കുന്നു. എതായാലും തിരുവിതാംകൂറിൽ ഇംഗ്ലീഷ് വിദ്യാഭ്യാസത്തിൽ സ്ത്രീ

LIBRARY ARCHIVES Kerala Legislative Assembly

കം ഉന്നതനിലയെ പ്രാപിച്ചിട്ടുണ്ടെന്ന് പലരുക്കും വിശ്വാസം ഉണ്ട്. എല്ലാ പരിഷ്കൃതഗവണ്മെൻറുകളും അതു സമ്മതിക്കുന്നുമുണ്ട്. ഇവിടെ ഇന്ന് നാലുലക്ഷത്തിൽപരം ആൺകുട്ടികളും ഇംഗ്ലീഷ് വിദ്യാഭ്യാസം ചെയ്യുമ്പോൾ മൂന്നുലക്ഷത്തിൽപരം പെൺകുട്ടികളും ഇംഗ്ലീഷ് വിദ്യാഭ്യാസം ചെയ്യുന്നുണ്ട്. അ നിലക്കു പുരുഷന്മാരോടൊപ്പം തന്നെ സ്ത്രീകളും വിദ്യാഭ്യാസത്തിൽ പുരോഗമിച്ചുകൊണ്ടിരിക്കുന്നു എന്നും ഗവണ്മെൻറു വേണ്ട അനുകൂല്യങ്ങളും ചെയ്തുകൊണ്ടിരിക്കുന്നുവെന്നും ബോദ്ധ്യമാകും. അതിനാൽ എന്തുകൊണ്ട് അഭ്യസ്തവിദ്യരായ സ്ത്രീകളേയും ഈ സ്ഥാനങ്ങളിൽ പ്രവേശിപ്പിച്ചുകൂടായെന്നാണ് ഞാൻ ചോദിക്കുന്നതു. എൻറെ മാന്യ സ്നേഹിതൻ മി. മക്കാർ പിള്ള പറഞ്ഞതുപോലെ വീട്ടിലെ കാര്യങ്ങൾക്ക് തടസ്സംവരാതെയിരിക്കത്തക്കവണ്ണം കൂടുതൽ കൂടുതൽ സ്ത്രീകളെ ഇപ്രകാരമുള്ള സ്ഥാനത്തേക്ക് നിയമിക്കുന്നതു് ആശാസ്യമായിരിക്കുമെന്നു മാത്രമല്ലാ നമ്മുടെ രാജ്യത്തിൻറെ പ്രശസ്തിക്കും അതു കാരണമായിത്തീരും. നമ്മുടെ ഗവണ്മെൻറു ജുഡിഷ്യൽ വകുപ്പിൽ ആദ്യമായി ഒരു സ്ത്രീയെ നിയമിച്ചു. ആ സ്ത്രീയുടെ പ്രാപ്തിയും ശേഷിയും ഗവണ്മെൻറിനെന്നതന്നെയല്ലാ പൊതുജനങ്ങൾക്കും ബോദ്ധ്യമായിട്ടുണ്ട്. ഗവണ്മെൻറിൽ നിന്നും പരീക്ഷണാർത്ഥം ആദ്യമായി ശ്രീമതി. അന്നാചാണ്ടി അവർകളെ ഒരു മുനിസിഫായി നിയമിച്ചു. ആ സ്ഥാനത്തേയ്ക്ക് അവർ ഒരിക്കലും അയോഗ്യയായി കണ്ടില്ല. എന്നു തന്നെയല്ല വളരെ സാമർത്ഥ്യമായിട്ടു പുരുഷന്മാരോടൊപ്പം തന്നെ ശരിയായി ന്യായാന്യായവിചാരണം ചെയ്തു പക്ഷപാതം കൂടാതെ അവരുടെ ജോലി നിർവഹിക്കയാണു ചെയ്തിട്ടുള്ളതു്. അതുപോലെ മെഡിക്കൽ വകുപ്പിലും ഡിഗ്രി സമ്പാദിച്ചു കർമ്മകുശലരായ വനിതകളും നമ്മുടെ രാജ്യത്തുണ്ട്. അവർ ഗവണ്മെൻറു സർവീസിൽ പ്രശസ്തമായ ജോലികളും നിർവഹിക്കുന്നുമുണ്ട്. അതുകൊണ്ടു സ്ത്രീകളും പുരുഷന്മാരോടൊപ്പം തന്നെ ഏതുഡിപ്പാർട്ടുമെൻറിലും ജോലി നോക്കാൻ പ്രാപ്തരാണെന്നു നമുക്കു മനസ്സിലാക്കാം. ഉപക്ഷേപകത്താവു്, ബഞ്ചുമജിസ്ട്രേട്ടുകോടതികളിൽ ഉദ്യോഗസ്ഥകളായി അഭ്യസ്തവിദ്യരായ സ്ത്രീകളെ നിയമിക്കപ്പെടണമെന്നേ ആവശ്യപ്പെട്ടുള്ളുകിലും, അങ്ങിനെ ബിരുദധാരികളായ നമ്മുടെ സഹോദരികളെ എല്ലാ ഡിപ്പാർട്ടുമെൻറുകളിലും, ഉയർന്ന ഉദ്യോഗങ്ങളിൽ നിയമിച്ചു അവർക്കു പ്രോത്സാഹനം നൽകണമെന്നാണ് എൻറെ അഭിപ്രായം. ബി. എ. ബി. എൽ. എം. ബി. ബി. എസ്സ്., എൽ. എം. പി. മുതലായ ഡിഗ്രികളും സമ്പാ

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. N. Narayana Kurup]

ടിച്ചിട്ടുള്ള വനിതകൾ അധികം കാണുകയില്ല എന്നു തോന്നുന്നു. അവരെ മുഴുവനും ഉടനടി ഉദ്യോഗത്തിൽ പ്രവേശിപ്പിക്കണമെന്നുകൂടി ഞാൻ അഭിപ്രായപ്പെടുന്നു.

PRESIDENT : Order, order. Even last week, I think the Government appointed a lady in the Kayamkulam Court. We are doing all these for the ladies.

MR. N. NARAYANA KURUP : എസ്സ് സർ. അതിലേക്ക് ഗവൺമെൻറിനെ ശ്ലാഘിക്കുന്നു. എന്നാലും കൂടുതൽ സ്ഥാനങ്ങളിൽ, ബഞ്ചമജിസ്ട്രേട്ടുകോടതികളിലും പഞ്ചായത്തുകോടതികളിലും എന്നു വേണ്ട എല്ലാഡിപ്പാർട്ടുമെൻറുകളിലും ബി. എൽ., എം. ബി. ബി. എസ്സ്., എൽ. എം. പി. മുതലായ ഡിഗ്രികൾ എടുത്തിട്ടുള്ള സ്ത്രീകളെ ന്യായമായ ഉദ്യോഗങ്ങൾ കൊടുത്തു പ്രോൽസാഹിപ്പിക്കേണ്ടതു് ഗവൺമെൻറിൻെറ കടമയാണു്. അപ്രകാരം വേണ്ട പ്രോൽസാഹനം നൽകുന്നതായാൽ സ്ത്രീകൾക്കെന്നല്ല രക്ഷകർത്താക്കൾക്കുതന്നെയും പെൺകുട്ടികളെ വിദ്യാഭ്യാസം ചെയ്യിക്കുന്നതിനും അപ്രകാരം നമ്മുടെ സംസ്ഥാനത്തെ സ്ത്രീവിദ്യാഭ്യാസം ഏറ്റവും ഉയർന്നനിലയിൽ എത്തിച്ചേരുന്നതിനും ഇടയാകുമെന്നുള്ള അഭിപ്രായത്തോടുകൂടി ശ്രീമതി നാരായണിഅമ്മയുടെ ഉപക്ഷേപത്തോടു ഞാൻ പൂർണ്ണമായി അനുകൂലിക്കുന്നു.

MR. M. R. NARAYANA PILLAI : I support this motion. Children grow more under the training of their mothers than their fathers. If more ladies, educated ladies particularly, are appointed to these posts, as pointed out in the cut motion, my view is that that would tend to the growth of a greater responsibility to law and order in the minds of the younger generation.

PRESIDENT : Young generations, very literate in the Criminal Procedure Code.

MR. D. C. JOSEPH (*Nominated*): I too very strongly support this motion, being a very modest suggestion. This motion, if effectively carried out, will produce better results in the work of the Courts. Usually, Advocate-friends are nominated as Bench Magistrates and Panchayat Judges. I do not mean anything disparaging, but the practice is that they go to the Courts rather late in the evening and as Mr. Mackar Pillai pointed out, if our women accuseds are detained in the Courts late in the evening, there will be trouble in houses. I think that if ladies are appointed as Bench Magistrates the situation would improve.

LIBRARY ARCHIVES Kerala Legislative Assembly

PRESIDENT: There will be a wholesome division of labour. In the morning the husband may look after the children when the ladies go to work.

MR. D. C. JOSEPH: Therefore our lady friends who are appointed as Magistrates will be a great solace for the female population. In towns the majority of cases are those pertaining to vaccination and child-birth. Therefore definitely the co-operation of our ladies is very largely needed in our Courts.

There is another reason. Travancore has made considerable progress in point of female education. The present Government has done great help to the female population in point of appointments, honorary appointments and several other facilities. This suggestion made by the lady member will be helpful to further the scope of the activities of women in the administration of the State.

MR. S. NARAYANA PILLAI: I also support this motion. I suggest that there should be an invariable practice followed in the State, of appointing women in every Honorary Magistrate's Court.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, in regard to this matter, I do not think there is any difference of opinion between the views of the honourable members and the Government. Government have been trying to encourage ladies taking up honorary positions in the State. As and when opportunities occur, available people are put in. And Government are anxious to appoint more ladies. But I may also point out that there is a scarcity of proper candidates coming forward in many localities. If the honourable lady-members of this House and other ladies will use their influence and try to induce more ladies to accept these places, Government would only be obliged. The fixed policy of this Government is not to make any discrimination between a lady and a gentleman provided other qualifications are satisfied. So far as the spirit of the resolution goes, Government are at one with the honourable members of this House.

SRY. T. NARAYANI AMMA: In view of the satisfactory answer given by the Government member, I do not press my motion.

The motion, by leave, was withdrawn.

Motion 189.

MR. P. NARAYANA PILLAI: Sir, I move—

"To reduce the allotment of Rs. 8,69,154 for Civil and Sessions Courts by Re. 1".

My object is to discuss the necessity of increasing the jurisdiction of the Civil and Sessions Courts at Mavelikara. This matter was the subject of discussion on the floor of this House on several occasions. But I am sorry to say that no action was taken in this connection. It was after repeated representations by the people of Mavelikara and the neighbouring places that a District Court was established in that place and after having established that, to deny the benefit of that court to a certain section of the population is very hard. Now, six pakuthies out of 15 in that taluk are under the jurisdiction of the Quilon District

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. P. Narayana Pillai]

Court. People find it very difficult to go for litigation and other purposes to a court which is far away from that place. When there is a court very close to them, my submission is that it is very necessary for their sake to extent the jurisdiction of the District Munsiff's courts in that place. Very recently, a temporary Munsiff's court was also established at that place, but there is not much work for that court. Similarly, in the Sessions Court criminal appeals are few in number and there is not even sufficient work for all the judges.

PRESIDENT: Is it not a fact that this matter is engaging the attention of the High Court?

MR. K. G. KUNJUKRISHNA PILLAI: Yes, Sir.

PRESIDENT: The honourable member might perhaps be interested to know that this very question is engaging the attention of the High Court and the Government well know the feelings of the honourable members on this matter. I therefore leave the matter there for the present.

MR. P. NARAYANA PILLAI: My suggestion is that though it is not possible to bring all the pakuthies of that taluk under the jurisdiction of the Munsiff's Court, it will be better to include one or two pakuthies under that jurisdiction, and then bring the Adoor Munsiff's Court under the appellate jurisdiction of the Mavelikara Court. That will give sufficient work for the District Court and it will help the litigants a great deal. In view of the remarks made by the Chair that the matter is engaging the attention of the High Court, I do not proceed with the discussion.

The motion was, by leave of the House, withdrawn.

The question that Government be granted a sum of Rs. 12,45,577 under Demand XIV—Administration of Justice, was put and carried.

The motion was passed and the grant was made.

DEMAND XV—JAILS.

MR. C. P. GOPALA PANICKAR (*Secretary to Government*): Sir, I rise to move for a grant not exceeding Rs. 1,97,693 under demand XV—Jails.

Motion 197.

MR. K. KUNJU PANICKER: സർ, ജയിൽ സൂപ്രണ്ടിന്റെ അലവൻസിനത്തിലുള്ള മൂവായിരംരൂപയിൽ ഒരുരൂപ കുറയ്ക്കണമെന്നുള്ള മോഷൻ ഞാൻ അവതരിപ്പിക്കുന്നു. ഞാൻ ഈ മോഷൻ അവതരിപ്പിക്കുന്നത് ജയിൽപ്പുള്ളികളെ സംബന്ധിച്ചും അവരുടെ സുഖസൗകര്യങ്ങളേയും ജോലികളേയും സംബന്ധിച്ചുള്ള കാര്യങ്ങളിൽ ഗവണ്മെൻറ് പ്രത്യേകം ശ്രദ്ധ പതിപ്പിക്കണമെന്നു പറയുന്നതിനവേണ്ടിയാണ്. ജയിൽപ്പുള്ളികൾക്കു അവരുടെ ഭക്ഷണത്തിനും കിടപ്പിനും മറ്റു സുഖമായ ജീവിതത്തിനുമുള്ള സൗകര്യങ്ങൾ അല്പംകൂടി വർദ്ധിപ്പിക്കേണ്ടതാണു. അവർക്ക് കൃഷി, വ്യവസായം മുതലായ ജോലികളിൽ പരി

LIBRARY ARCHIVES Kerala Legislative Assembly